IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 13661 of 2004

Between:

T.Appa Rao s/o. Appala Swamy
R/o.Kakinada, East Godavari.

..... PETITIONER

AND

1 The Commissioner and Director of Sugar and Cane Commissioner,

Government of A.P. 1st Floor, Nizam
Sugars Buildings Opp. to Lal Bahadur Stadium, Hyderabad.
2 The Etikoppaka Cooperative Agricultural and Industrial Society Ltd.,
rep. by its Managing Director Etikoppaka, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ or order or direction directing the respondents to settle and pay all the retirement benefits forthwith to the petitioner by declaring the inaction of the respondents in not settling the retirement benefits to the petitioner even after one year from his retirement is illegal, arbitrary and injust.

Counsel for the Petitioner:MR.S.RAMA MOORTHY REDDY

Counsel for the Respondents.: GP FOR MINES AND GEOLOGY

The Court made the following :

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

W.P.NO.13661 OF 2004

ORDER:

The petitioner represents that he is a Chief Chemist retired from the second respondent society on 30.06.2004 and that the respondents calculated his terminal benefits at Rs.5,00,465/- and he is entitled to receive all the terminal benefits.

The grievance of the petitioner is that the second respondent through the letter Ref.No.108/Estt/2003-2004, dated 13.01.2004 paid to him Rs.2,62,580-30 Ps only and did not pay the balance amount of Rs.2,37,885-30Ps. He wrote a letter on 08.03.2004 to the respondents for the balance amount. In response to that said letter, the first respondent directed the second respondent to settle the balance amount of the petitioner. But, the second respondent did not pay the said amount. Subsequently, on 02.04.2004 and 04.06.2004 the petitioner addressed letters to the respondents, but in vain.

Therefore, he approached this Court seeking a direction to the second respondent to pay the balance amount of his terminal benefits.

In the light of the circumstances explained by the petitioner, the second respondent is directed to pay the balance amount of terminal benefits to the petitioner within a period of two months from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No order as to costs.

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(Dr.G.YETHIRAJULU, J)

Dated 04th August, 2004.

Note:

Issue Copy by tomorrow.

(B/o)

YCR

To

1 The Commissioner and Director of Sugar and Cane Commissioner,

Government of A.P. 1st Floor, Nizam
Sugars Buildings Opp. to Lal Bahadur Stadium, Hyderabad.
2 The Managing Director, Etikoppaka Cooperative Agricultural and

Industrial Society Ltd., Etikoppaka, Visakhapatnam District.

3. 2 CCs to GP for Mines and Geology, High Court Bldgs., Hyd.

4. 2 C.D. copies.